

NOV-14-2007 13:35

P.02/02

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

D'ARRIGO BROS. CO. OF NEW YORK, INC.,

Plaintiff,

Case No.: 07CV3855 (HB)

-against-

NOTICE OF
VOLUNTARY DISMISSAL

HEE JAE PARK d/b/a J&S PRODUCE COMPANY,

Defendant.

No party herein being an incompetent or infant, all the claims asserted by D'ARRIGO BROS. CO. OF NEW YORK, against defendant, HEE JAE PARK d/b/a J&S PRODUCE COMPANY, be and hereby are voluntarily dismissed, with prejudice, with each party to bear its own costs.

The parties hereby stipulate and agree that the defendant in this matter has executed a consent judgment, which pursuant to the terms of the stipulation of settlement, shall be held in escrow by plaintiff's attorneys and shall only be entered in the event of a default by the defendant. This Court shall retain jurisdiction over this matter for purposes of entering the consent judgment in the event defendant defaults under and pursuant to the stipulation

Dated: Westbury, New York


~~October 14~~, 2007

NOVEMBER

KREINCES & ROSENBERG, P.C.

By: 

LEONARD KREINCES, ESQ. (lk-654)
Attorneys for Plaintiff
900 Merchants Concourse, Suite 305
Westbury, New York 11590
516-227-6500


G. OLIVER KOPPELL, ESQ. (gk)
Attorney for Defendant
99 Park Avenue, 8th Floor
New York, New York 10016

SO ORDERED:

NOVEMBER

~~October 14~~, 2007

Harold Baer, U.S.D.J.